IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 23995 of 2001

DATED: 28-02-2006

Between:

V.Jagannadha Rao & Associates petitioner

And

The State Bank of India,

Rep by its Chief General Manager,

Local Head Office Bank Street,

Hyderabad and another Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 23995 OF 2001

ORAL ORDER:

The present writ petition is filed questioning the action of the respondents in discontinuing the petitioner from the panel of valuers. The petitioner firm was included in the panel of valuers vide proceedings dated 14.5.1997. The respondent bank issued a circular dated 2.11.1999 enclosing the list of panel valuers, wherein the name of the petitioner firm was shown at serial no.24 and a remark was made in the remarks column that the petitioner was dis-empanelled vide letter NO.CCO/CPPC/319 dated 29.7.1999. Upon noticing the same, the petitioner

addressed a letter dated 16.12.1999 seeking clarification with regard to its placement. In turn the respondent bank issued letter dated 18.2.2000 that petitioner was dis-empanelled on administrative grounds. Hence, the present writ petition.

This Court while admitting the writ petition granted interim direction by order dated 22.4.2002. The said interim order was vacated by order dated 28.7.2003 in W.V.M.P. No. 691 of 2003.

The respondent bank filed a counter affidavit stating that the petitioner was entrusted with the valuation work of portion of third floor of Zainab Commercial Complex, Ameerpet, Hyderabad and the petitioner has submitted a report by showing its value exorbitantly high at Rs.162.99 lakhs. The same property was assessed by another valuer as Rs.45 lakhs. That on noticing the misleading valuation recommended by the petitioner firm the matter was referred to the respondent bank and the competent authority on examination of relevant material decided to dis-empanel the petitioner from the list of valuers. It is also stated that appointment of valuer is at sole discretion of the respondent bank and petitioner cannot claim empanelment as a matter of right. It is specifically stated that there is no necessity to conduct an enquiry or to issue notice before
dis-empanelment of a valuer.

The counter affidavit clearly states that petitioner firm has mislead the respondent bank by submitting a valuation report assessing the value of the property exorbitantly. On noticing the same, the respondent bank after examining the relevant material, decided to dis-empanel the petitioner firm from the panel of valuers. The petitioner has not filed any reply affidavit denying the said allegation. The petitioner has also not brought to the notice this Court, violation of any Regulation. Be that at it may, appointment or discontinuation of a panel valuer is subject to the satisfaction of the respondent bank and petitioner cannot claim it as a matter of right. The bank on appraisal of the performance of the petitioner firm has taken decision to discontinue it from the panel of valuers, which cannot be said to be illegal. The writ petition is devoid of any merit and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

N.V.RAMANA,J

28.02.2006

TVK

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